

HEALTH AND SENIOR SERVICES

SENIOR SERVICES AND HEALTH SYSTEMS BRANCH

DIVISION OF HEALTH FACILITIES EVALUATION AND LICENSING

Notice of Extension of Moratorium Affecting Pediatric Day Health Services Approvals

Take notice that, in accordance with the provisions set forth in N.J.S.A. 26:2H-1 et seq., the Commissioner of the Department of Health and Senior Services is hereby continuing the moratorium on acceptance of licensure applications for pediatric day health services (PDHS) facilities effective August 1, 2006. The extension of the moratorium on PDHS licensure processing is necessary to protect the health, safety and welfare of the medically fragile children that are to be served by PDHS facilities.

This moratorium must be continued so that the Department can adopt regulations which address and remedy issues identified in a February 2003, Office of Legislative Services Audit Report concerning the Medical Day Care industry in New Jersey (the "OLS Audit"). The OLS audit identified issues related to PDHS facilities requiring further clarification, including: State eligibility requirements for participants, capacity limitations for PDHS facilities, criminal background investigations of owners and staff of PDHS facilities, increased oversight of the PDHS industry, and submission of annual uniform cost reports from PDHS facilities.

The Department recently adopted rules dealing with criminal background investigations of owners and staff of PDHS facilities, effective December 19, 2005 (See 37 N.J.R. 4931(a)), as well as rules requiring the submission of annual cost reports from PDHS facilities, also effective December 19, 2005 (See 37 N.J.R. 4968(a)). The Department's Pediatric Study Team is currently in the process of drafting new rules governing the licensure of PDHS facilities and

Medicaid eligibility criteria for this service. The need for a moratorium on pediatric day health services facilities will be reviewed when these new rules are effective.

This moratorium applies both to applications for new facilities, as well as applications for the expansion of pediatric day health services program slots within already-licensed facilities, which includes the transfer of program slots between existing facilities.